

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMSHID S. KASHANNEJAD,

No. C-11-2228 EMC

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, *et al.*,

Defendants.

**ORDER RE PLAINTIFF'S NOTICE OF
COMPLIANCE AND REQUEST FOR
CLARIFICATION AND
RECONSIDERATION**

(Docket No. 196)

Plaintiff has filed a document titled "Notice of Compliance with the Court's Order and Request for Clarification and Reconsideration." *See* Docket No. 196 (notice and request). Having reviewed that document and its accompanying submissions, the Court hereby rules as follows.


1. Plaintiff has legitimately raised the question of whether the airline will allow him to board and/or whether CBP will allow him to enter because, even though he timely purchased a ticket from Emirates, the date of travel was not within two weeks thereafter. An e-mail written by Mr. Lawrence to Ms. Hafezalsehe (Emirates) dated February 27, 2013, suggests that travel within two weeks after the purchase date was required. *See* Docket No. 188 (Exhibit A) (stating that the transportation "letters have expired, but per Bruce Mulraney of CBP, the United States will honor the travel letter so long as Mr. Kashannejad purchases his ticket this week *and travels to Los Angeles (LAX) within two weeks thereafter*") (emphasis added). This requirement was not suggested in Defendants' prior filings. *See, e.g.*, Docket No. 185 (Defs.' Status Report at 3); Docket No. 185 (Exhibit A) (e-mail from Mr. Lawrence to Ms. Hafezalsehe dated February 19, 2013) (asking

1 whether Emirates will sell “Mr. Kashannejad a ticket to Los Angeles if he returns to your office in
2 the next two weeks with the same documentation he previously provided”; not making mention of
3 any requirement to travel within a certain period). **Accordingly, the Court hereby orders**
4 **Defendants to take all necessary measures to ensure that Mr. Kashannejad will not be**
5 **prevented from returning to the United States because his date of travel is April 14, 2013 (i.e.,**
6 **more than two weeks after the date of purchase of the ticket). This includes contacting**
7 **Emirates as well as CBP.**

8 2. Plaintiff has essentially asked the Court what he should do if, for whatever reason, he
9 is prevented from returning to the United States on or about April 14, 2013. *See* Docket No. 196
10 (Mot. at 5-6). At this point, Plaintiff is engaging in speculation and is further asking the Court to
11 speculate as well. The Court shall not issue an advisory opinion. As the Court previously held,
12 there shall be an entry of judgment and case closure on April 15, 2013. If Plaintiff wishes to file any
13 post-judgment motions, the Court will deal with the issue at that time.

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15 IT IS SO ORDERED.

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17 Dated: April 3, 2013

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20 EDWARD M. CHEN
21 United States District Judge
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